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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION – ROYBAL FEDERAL BUILDING**

ALLSTATE INSURANCE
COMPANY, an Illinois corporation,

Plaintiff,

v.

PAUL RICHARD GASSMANN;
SAMUEL HERB; SHANE
BRANSON; CHRISTOPHER
SHARPE; and MICHAEL
MELDGAARD,

Defendants.

Case no.: CV08-04833 DSF (PLAx)
Judge: Hon. Dale S. Fischer

JUDGMENT

This case came on regularly for trial on December 1, 2009, in Courtroom 840 of the above-entitled Court, before the Honorable Dale S. Fischer, Judge presiding, sitting without a jury, a jury having been duly waived. Plaintiff Allstate Insurance Company ("Allstate") appeared by its attorney Barry P. Goldberg of Pollak, Vida & Fisher. Defendant Paul Richard Gassmann ("Gassmann") appeared by his attorney Claire D. Johnson of Parker, Milliken, Clark, O'Hara & Samuelian. Defendant Samuel Herb ("Herb") appeared by his attorney Douglas D. Guy of Gates, O'Doherty, Gonter & Guy. Evidence, both oral and documentary, having been

presented by the parties, the case having been argued and submitted for decision, and on April 24, 2010, the Court having caused to be made and filed herein its written Findings of Fact and Conclusions of Law,

IT IS HERBY ORDERED, ADJUDGED, AND DECREED that

1. Gassmann is an “insured person” within the meaning of Allstate Personal Umbrella Policy Number 914675574, issued to Oliver Clark, III and Jean Clark, (the “Policy”), and is entitled to coverage thereunder for the automobile accident in Fallbrook California on or about April 28, 2007, because he is related to the named insureds and was, at the time of the accident, a resident of the insureds’ household;
2. Judgment is hereby entered in favor of Gassmann and against Allstate in the amount of \$_____, pursuant to a Notice of Application to Tax Costs and Bill of Costs to be filed by Gassmann; and
3. Judgment is hereby entered in favor of Herb and against Allstate in the amount of \$_____, pursuant to a Notice of Application to Tax Costs and Bill of Costs to be filed by Herb.

Dated: 5/24/10



Hon. Dale S. Fischer
Judge of the United States District Court
Central District of California